



PTO/SB/31 (09-04)

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**NOTICE OF APPEAL FROM THE EXAMINER TO
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

26983-98

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)]
on 4/22/2005

Signature Leslie Ann Kuder

Typed or printed name Leslie Ann Kuder

In re Application of
Emilio Barbera-Guillem

Application Number
09/835,759

Filed
April 18, 2001

For VACCINE AND IMMUNOTHERAPY FOR SOLID...

Art Unit
1642

Examiner
David J. Blanchard

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 500.00

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: \$ 250.00

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 02-2051. I have enclosed a duplicate copy of this sheet.

A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the

applicant/inventor.

assignee of record of the entire interest.
See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.
(Form PTO/SB/96)

attorney or agent of record. Registration number 53,768

attorney or agent acting under 37 CFR 1.34.
Registration number if acting under 37 CFR 1.34. April 22, 2005

Todd L. Sladek
Signature

Todd L. Sladek

Typed or printed name

(216) 363-4491

Telephone number

Date

**NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.
Submit multiple forms if more than one signature is required, see below*.**

*Total of 1 forms are submitted.

This collection of information is required by 37 CFR 41.31. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11, 1.14 and 41.6. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Emilio Barbera-Guillem Examiner: David J. Blanchard
Serial No.: 09/835,759 Group Art Unit: 1642
Filed: April 16, 2001 Docket No.: 26983-98

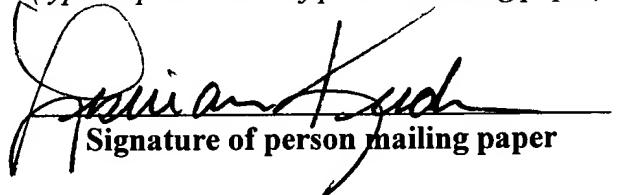
Title: VACCINE AND IMMUNOTHERAPY FOR SOLID NONLYMPHOID TUMOR AND RELATED IMMUNE DYSREGULATION

CERTIFICATE OF MAILING UNDER 37 C.F.R. 1.8*

I hereby certify that the below-identified papers are being deposited with the United States Postal Service with sufficient postage as "FIRST CLASS MAIL" on April 22, 2005 in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450

Leslie Ann Kuder

(type or print name of person mailing paper)



Signature of person mailing paper

Items enclosed herewith:

1. Notice of Appeal
2. Form PTO 2038; and
3. Return Receipt Postcard